

REMARKS

Claims 1-3 and 5-13 are all the claims pending in the application. Applicant thanks the Examiner for indicating that claims 9-13 are allowed.

Applicant cancels claim 4 and incorporates such subject matter into claim 1. Claim 5 is also amended to reflect changes to claim 1.

Claims 1-3, 5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001.

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001 and further in view of Coaker et al. (5,036,121).

Claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001 and further in view of Schombourg et al. (6,448,343).

Analysis of Prior Art Rejection

Of the rejected claims, only claim 1 is in independent form; therefore, the following discussion is initially directed to this independent claim.

Claim 1 is directed to an insulating composition for use in the cable-making industry, which is extrudable and curable. The composition of claim 1 includes an amino-silane for curing the basic mixture. The basic mixture includes chlorinated polyolefin and a mineral filler based on chalk including an antimony compound.

The technical advantage of a mineral filler based on chalk including an antimony compound is to provide a filler with an optimal rate of fire resistance at a low cost.

The amino-silane reacts directly with the chlorinated polyolefin, without being deactivated in any way by the filler, whose moisture content is very low in the basic mixture, so as to be grafted to the chlorinated polyolefin without giving off hydrochloric acid.

GB '016 fails to disclose an amino-silane. GB '016 is directed to polymeric flame retardant compositions, but fails to teach or suggest an amino-silane for curing. The Examiner turns to EP '001 to cure this deficiency of GB '016. EP '001 is directed to an aqueous adhesive which has a long pot-life and good heat resistance. The Examiner asserts that it would have been obvious to use the amino-silane of EP '001 in the composition of GB '016 in order to "produce a composition with long pot life and excellent heat resistance after curing". The Examiner asserts that there is no requirement that the amino-silane *actually reacts* with the chlorinated polyolefin, and merely requires an amino-silane that is *suitable for* curing the chlorinated polyolefin.

However, the combination of references must provide an amino-silane that is *capable of* curing the basic mixture (that includes the chlorinated polyolefin and antimony compound). There is no support for asserting that one of ordinary skill in the art would have known to modify GB '016 to include the amino-silane so as to be capable of performing this function. In other words, while one, arguably, may have merely combined the ingredients together, there is no teaching for combining them to arrive at the claimed invention wherein the amino-silane would be provided in such a manner so as to be *capable of curing* the claimed basic mixture. One of ordinary skill in the art would not have thought to provide the aminosilane that that it would be capable of providing the claimed function.

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In addition, there is no teaching or suggestion for modifying the compound in GB '016 to have the chalk including an antimony compound.

In view of the foregoing, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1.

The remaining rejections are directed to the dependent claims. These claims are patentable for at least the same reasons as claim 1, by virtue of their dependency therefrom.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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